

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Noa Street-Sachs	Team: Squad #8	CCRB Case #: 202003598	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 05/26/2020 10:45 PM	Location of Incident: § 87(2)(b)	Precinct: 17	18 Mo. SOL 11/26/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 05/28/2020 7:55 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 05/28/2020 7:55 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Ravi Singh	03663	949670	017 PCT
2. POM Andrew Weber	20525	963325	017 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Derek Capponi	20106	958366	017 DET
2. POM Jacky Wong	16913	956339	017 DET

Officer(s)	Allegation	Investigator Recommendation
A.SGT Ravi Singh	Abuse: Sergeant Ravi Singh interfered with § 87(2)(b) s use of a recording device.	§ 87(2)(b)
B.SGT Ravi Singh	Abuse: Sergeant Ravi Singh damaged § 87(2)(b) s property.	§ 87(2)(b)
C.SGT Ravi Singh	Abuse: Sergeant Ravi Singh seized § 87(2)(b) s property.	§ 87(2)(b)
D.SGT Ravi Singh	Abuse: Sergeant Ravi Singh questioned § 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)

Case Summary

On May 27, 2020, § 87(2)(b) filed the following complaint with the CCRB via the online complaint form.

On May 26, 2020, at approximately 10:45 p.m., § 87(2)(b) was visiting a friend when he received a notification from the “Ring” app on his phone alerting him that someone was at his front door. The camera captured officers, identified as Sgt. Ravi Singh, PO Derek Capponi, and PO Andrew Weber of the 17th Precinct in addition to PO Jacky Wong of the 17th Precinct Detective Squad, at § 87(2)(b)'s front door. Sgt. Singh has since been promoted to Lieutenant, but is being referred to by his rank at the time of the incident.

Sgt. Singh took § 87(2)(b)'s camera off of its mount and put the camera in what appeared to be his pocket (**Allegation A - C: Abuse of Authority**, § 87(2)(g)). At approximately 11:10 p.m., § 87(2)(b) received multiple calls from Sgt. Singh and subsequent texts from him during which Sgt. Singh asked § 87(2)(b) to show him his lease (**Allegation D: Abuse of Authority**, § 87(2)(g)), § 87(4-b), § 87(2)(g)

No arrest was made and no summons was issued as a result of this incident. The agency is in possession of “Ring” surveillance footage from this incident (Board Review 01, Board Review 02).

Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant Ravi Singh interfered with § 87(2)(b)'s use of a recording device.

Allegation (B) Abuse of Authority: Sergeant Ravi Singh damaged § 87(2)(b)'s property.

Allegation (C) Abuse of Authority: Sergeant Ravi Singh seized § 87(2)(b)'s property.

Allegation (D) Abuse of Authority: Sergeant Ravi Singh questioned § 87(2)(b)

It is undisputed that Sgt. Singh interfered with § 87(2)(b)'s recording by seizing his Ring surveillance camera.

In his sworn statement, § 87(2)(b) stated that on May 26, 2020, at approximately 10:45 p.m., he was visiting a friend when the “Ring” app on his phone, alerted him that someone was at his front door. § 87(2)(b) opened the app and looked at the live feed from the camera which captured two men at his front door looking at the camera, one of whom yanked § 87(2)(b)'s camera off of its mount. The app allowed one to speak through the camera remotely by talking through the phone. § 87(2)(b) spoke through his phone and told this individual to get his hands off of the camera. § 87(2)(b) observed this individual put the camera in what appeared to be his pocket.

§ 87(2)(b) dialed 911 and informed the operator that there were people at his door taking his camera. After a few minutes, § 87(2)(b) received a call and an officer introduced himself as “officer” Singh. Sgt. Singh informed § 87(2)(b) that he was at his apartment and did not see anyone at his front door. § 87(2)(b) informed him that two men were just at his door. Sgt. Singh asked § 87(2)(b) if he was at his apartment. § 87(2)(b) informed him that he was in Queens and would not be back at his apartment until the following day and ended the call.

§ 87(2)(b) dialed 911 again and informed the operator that the people who took his camera were back at his apartment and had possession of his camera. At 11:10 p.m., § 87(2)(b) received another call from Sgt. Singh who told § 87(2)(b) that he knew he called 911 again and Sgt. Singh informed him that he needed to verify that § 87(2)(b) lived at the address. At that point, § 87(2)(b) recognized Sgt. Singh's voice and realized that Sgt. Singh was one of the two men who took his camera. He realized that those two men were plainclothes officers. Sgt. Singh then asked § 87(2)(b) to show him his lease. § 87(2)(b) informed Sgt. Singh that his lawyer would gather any necessary documents and deliver them to the police. Sgt. Singh asked again for § 87(2)(b) to show him his lease after which § 87(2)(b) hung up on Sgt. Singh.

Sgt. Singh called § 87(2)(b) again and told him that he needed to see a lease. § 87(2)(b) informed him that his lease was inside his apartment and that he was unable to reach it at that time. Sgt. Singh said that he knew § 87(2)(b) did not live at the location. § 87(2)(b) told Sgt. Singh that he would have his lawyer handle any paperwork since his lease was in his apartment. He informed Sgt. Singh that he was a tenant of the building and was renting from the building owner. Sgt. Singh became angry and raised his voice. He told § 87(2)(b) that he did not live at § 87(2)(b) in Manhattan. He then stated to § 87(2)(b) "We're on to you." The call then ended. § 87(2)(b) received text messages from Sgt. Singh asking him to provide a copy of his lease. Sgt. Singh called § 87(2)(b) again and informed § 87(2)(b) that his camera was at the precinct stationhouse. He informed him that he would have to go pick up his camera and confirm his identity in order to retrieve it. The following afternoon, § 87(2)(b) went to his apartment and saw that only his camera mount was left where his camera used to be (Board Review 03).

§ 87(2)(b) provided two videos from his Ring surveillance camera to the investigation. The first video (Board Review 01) begins with Sgt. Singh and another officer facing § 87(2)(b)'s camera. Sgt. Singh takes § 87(2)(b)'s camera off of where it is fixed and places the camera next to his face.

§ 87(2)(b) also provided the investigation with an image taken on May 27, 2020 of the camera mount with the missing camera. Each corner of the mount has a small circle for screws. The left upper and lower screws are missing while the right lower and upper screws are still intact (Board Review 04).

§ 87(2)(b) also provided the investigation with screenshots of his text messages with Sgt. Singh which capture Sgt. Singh requesting a copy of § 87(2)(b)'s lease (Board Review 05).

Sgt. Singh testified that a few days prior to the incident date, Sgt. Singh was driving in a patrol car with PO Weber and PO Capponi when they noticed two men breaking into § 87(2)(b) § 87(4-b) in Manhattan. They did not stop but looped around the block and by the time they returned to the building, the two men were gone. When the officers arrived, they noticed that glass was broken, the door was pried open, the locks were broken, and there was a crowbar on the floor. They looked in the building and the building was abandoned; there were no lights on and there was no one in the building. By running the building's address, the officers were able to determine that the building belonged to the African Consulate. The officers spoke to one of the building owners who informed that no one had been in the building for the past few months because of COVID-19 and that no one was supposed to be in the building. The officers were able to secure the door back closed with the broken lock. The African Consulate had no familiarity with § 87(2)(b). The officers were informed that the locks were broken and changed.

Sgt. Singh stated that § 87(2)(b) was part of a group with a website (which Sgt. Singh believed he was told by the District Attorney was titled “§ 87(2)(b)”) who found vacant, abandoned buildings after which they broke into them, changed the locks, and registered the lights in their name. Afterward, they put the property on Craigslist and rented it out. Several months after the incident associated with this case, the officers arrested § 87(2)(b)’s partner for this.

On May 26, 2020, at approximately 10:30 p.m., Sgt. Singh was driving with PO Weber and PO Capponi. In the vicinity of § 87(2)(b) § 87(4-b) Manhattan, Sgt. Singh noticed someone had painted a piece of cardboard red and placed it where the glass was broken in the window to close the window off. The window was broken such that one could reach through and open the front door. The door was red so the cardboard had been painted red in what Sgt. Singh believed was an attempt to obscure the fact that the glass was broken. Sgt. Singh noticed a surveillance camera on the door which had not been there before. Additionally, Sgt. Singh and the officers noticed that the locks had been changed since the few days before. Sgt. Singh went and looked at the camera after which he called the building owner again. Sgt. Singh provided the investigation with the first name and phone number of the individual he spoke to from the African League who was the building owner. Sgt. Singh spoke to this individual and inquired if they put this camera on their building and who the camera belonged to. The building owner said the camera was not theirs, they did not put anything on the door, and no one was supposed to be there. Sgt. Singh realized someone was actively trying to break into this building after which Sgt. Singh took the camera and vouchered it.

This was an ongoing week-long investigation and § 87(2)(b) who they believed broke in, was calling the police when the owner of the building showed up. Sgt. Singh had spoken to the owner of the building approximately 10-15 minutes before arriving at the building, and then additionally while in front of the building. When Sgt. Singh saw the camera on the building, he called the owner of the building back. This conversation consisted of Sgt. Singh asking the owner if he changed his locks or put a camera on there to which the owner said, “No. I didn’t do any of that. That does not belong to me.” The owner of the building arrived on scene and informed that the building was supposed to be vacant, the door was locked, and the locks were changed on the door. § 87(2)(b) who never appeared on the scene, called 911 and was trying to say the owner was attempting to break in. Sgt. Singh believed that § 87(2)(b) was attempting to pretend to be the owner of the building and called 911 on the actual owner.

Sgt. Singh acknowledged that it was his decision to remove the camera because he was the sergeant on scene. Sgt. Singh took the camera because of the fact that the camera did not belong there, Sgt. Singh believed § 87(2)(b) did not live in the building, they did not know who the camera belonged to, and the owner of the building had informed that no camera or person was supposed to be there. Besides the fact that the camera did not belong there, it was a burglary-prone location, and the camera was for the purposes of the officers’ burglary investigation, there was no other reason that Sgt. Singh took the camera to vouch it. Sgt. Singh added in his interview that technically, if they had decided to take a UF61 for this incident, it also constituted “unlawful surveillance.” They did not take a UF61 because at the time, they did not know who the camera belonged to. Unlawful surveillance was when someone put surveillance on property and the owner did not give them permission to do so which constituted a crime. § 87(2)(b) came to the precinct stationhouse a few days later and retrieved the camera because the camera had been vouchered for safekeeping. In the process of removing the camera, Sgt. Singh denied that there was any damage to the door.

Sgt. Singh acknowledged that he became aware § 87(2)(b) was recording him. Sgt. Singh added that he believed § 87(2)(b)’s doorbell had a motion sensor so when the officers walked up, it made a noise and started recording. There was no reason why § 87(2)(b) could not record Sgt.

Singh and the other officers at this time. Sgt. Singh denied taking any actions to interfere with § 87(2)(b) recording him except removing the camera after discovering that it did not belong on the building.

Sgt. Singh could not recall any communication with § 87(2)(b) after Sgt. Singh vouchered the camera. Sgt. Singh acknowledged asking § 87(2)(b) over the phone while back at the stationhouse on the same day if the camera belonged to him, whose building it was, how he got into the building since the locks were obviously broken, and who broke the locks. § 87(2)(b) was being “vague” and “defensive” in response to these questions and he did not want to answer the questions. Sgt. Singh did not believe he ever asked § 87(2)(b) to show him his lease because their communication was over the phone. When asked if Sgt. Singh ever texted or called § 87(2)(b) asking him to show his lease, Sgt. Singh said he “probably” did because he was trying to figure out what exactly the story was. Sgt. Singh asked this because it was a burglary investigation, they saw people breaking in a couple days prior, and they knew from the owner that no one was supposed to be in the building.

Sgt. Singh was presented with a screenshot of § 87(2)(b)'s text messages (Board Review 05). After reviewing the screenshot, Sgt. Singh confirmed that this was his phone number and that the screenshot captured him texting § 87(2)(b). Sgt. Singh acknowledged that this refreshed his recollection of texting § 87(2)(b) to request his lease. Sgt. Singh texted § 87(2)(b) to ask for his lease because of the fact that they were conducting a burglary investigation, that someone broke into the building, and that no one was supposed to be there.

Sgt. Singh was asked about his memo book entry (Board Review 06) in which the disposition was 10-92 and 10-93. Sgt. Singh informed that this was making a record of the invoice. 10-93 was code for “other report prepared.” Sgt. Singh informed that 10-92 was likely a mistake because it usually meant “arrest.”

Sgt. Singh informed that he activated his body-worn camera during the incident and he reviewed this footage a few days after the incident. Sgt. Singh did not remember if he reviewed the body-camera footage from the other officers on scene but he knew they activated their body-camera because he remembered seeing the light (Board Review 07). The investigation received negative results for body-worn camera footage from Legal in four different requests (Board Review 08-11).

PO Weber testified that on May 26, 2020, at approximately 10:35 p.m., Sgt. Singh instructed him to respond to § 87(2)(b) § 87(4-b) in Manhattan to investigate a past possible burglary location. Sgt. Singh informed PO Weber that § 87(2)(b) did not own the property and had no business being present at the property. PO Weber responded to the location with Sgt. Singh and when they arrived, a Ring doorbell camera was observed affixed to the outside of the building.

The owner of the building stated to Sgt. Singh that he did not place the Ring doorbell camera there and there was no reason it should be there. Sgt. Singh was also informed that the building was owned by the African Union and was currently not in use daily and was being used as a storage facility. When asked if anyone was supposed to be living in the building, PO Weber said no. PO Weber did not know at what point Sgt. Singh learned this information from the owner of the building but Sgt. Singh told this to PO Weber. PO Weber believed that Sgt. Singh was the one who removed the Ring doorbell camera and instructed PO Weber to vouch for it at the 17th Precinct. PO Weber prepared a Property Clerk Invoice in regards to this incident. PO Weber did not have the identifying number for this invoice nor did he have the invoice with him at his CCRB interview. § 87(2)(b) was a subject being investigated for a burglary (Board Review 12).

The investigation contacted the individual who Sgt. Singh informed he had spoken to regarding the vacancy of the building, § 87(2)(b). While § 87(2)(b) did not provide a full statement for the investigation, he informed that he served as § 87(2)(b) at the African Union at § 87(2)(b) in Manhattan. When asked if anyone was supposed to be living in this building as of May 26, 2020, § 87(2)(b) informed someone had broken into their building and illegally occupied the building after which they had informed the police (Board Review 13).

Sgt. Singh's memo book entry for this incident notes in the comments that Sgt. Singh was investigating a possible burglary and the Ring doorbell was vouchered for the investigation (Board Review 06). PO Weber's memo book entry for this incident notes it was an investigation of a "21", or past burglary, location (Board Review 14).

The investigation obtained the NYPD Property Index Report from the 17th Precinct for the full day of May 26, 2020 (Board Review 15). PO Weber was the investigating officer listed in one of these entries, invoice #§ 87(2)(b). The property category was listed as investigatory and the property type was general property. No complaint number was listed.

The investigative received negative results for property vouchers associated with § 87(2)(b) (Board Review 16). The investigation requested invoice #§ 87(2)(b) which is currently pending.

Per Patrol Guide Procedure 218-11, upon taking property into custody, officers are required to prepare a memo book entry with the circumstances and the description of the property and to prepare a Property Clerk Invoice (Board Review 17).

Per Patrol Guide Procedure 212-11, a common law right of inquiry is an encounter between a civilian and an officer conducted for the purpose of asking the civilian pointed or accusatory questions because the police officer has a "founded suspicion" that criminal activity is afoot. Founded suspicion of criminal activity arises when there is some present indication of criminality based on observable conduct or reliable hearsay information. In other words, the officer has sufficient information to begin to suspect the person of criminal conduct (Board Review 18).

An officer requires founded suspicion that criminality is afoot to ask them pointed, accusatory questions. People v. Debour 40 N.Y. 2d 210 (Board Review 25).

§ 87(2)(g)
[REDACTED]

§ 87(2)(g) [REDACTED]
[REDACTED]

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the second CCRB complaint that § 87(2)(b) has been party to, § 87(2)(b)
- Sgt. Singh has been a member of service for 11 years and has been as subject in four CCRB cases and 13 allegations, none of which have been substantiated (Board Review 21).
- PO Weber has been a member of service for four years and this is the first CCRB case in which he has been a subject (Board Review 22).

Mediation, Civil, and Criminal Histories

- This case was not suitable for mediation due to the property damage allegation.
- According to the New York City Office of the Comptroller, § 87(2)(b) had not filed a Notice of Claim regarding this incident as of December 30, 2020 (Board Review 23).
- § 87(2)(b)

Squad: 8

Investigator:	<u>Noa Street-Sachs</u>	<u>Inv. Street-Sachs</u>	<u>07/20/2021</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Ethan De Angelo</u>	<u>IM Ethan De Angelo</u>	<u>7/21/2021</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date